

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Frances Murrell Davis
301 Oak Street
Gibsonville, NC 27249**

Case No. _____

Chapter 13

SS# xxx-xx-1718

SS# _____

Debtor(s)

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on August 15, 2014 .

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of **\$835.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs

1. Attorney fees.

- ☒ The attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received \$ **300.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs.

The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses

III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
Guilford County Tax Collector	\$0.00
Internal Revenue Service	\$3,115.00
North Carolina Department of Revenue	\$305.00

IV. Secured Claims

1. Real Property Secured Claims

a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
Wells Fargo Home Mortgage	Home: 301 Oak Street, Gibsonville NC 27249	R	N	\$541.20	\$1,150.00	

2. Personal Property Secured Claims

a. ☐ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Santander Consumer USA	2005 Mercury Mountaineer	\$4,700.00	Y	\$5,842.00	\$0.00	\$89.23	5.25%

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
-NONE-	

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 506 proposes to avoid the following liens on property to the extent that there is no equity to secure the lien:

Lien Creditor	Property
Security Financial Corp. of Lincoln	2005 Mercury Mountaineer

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 0 %.

VII. Executory Contracts/Leases

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: August 15, 2014

/s/ Tommy S. Blalock, III

Tommy S. Blalock, III 26467

Attorney for the Debtor

Address: **620 Green Valley Road
Suite 209
Greensboro, NC 27408**

Telephone: **(336) 274-2343**

State Bar No. **26467**

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SS# xxx-xx-1718

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**NOTICE TO CREDITORS
AND
PROPOSED PLAN**

Case No. _____

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox
Clerk of Court
U.S. Bankruptcy Court
Middle District of North Carolina
P.O. Box 26100
Greensboro, NC 27402**

**Anita Jo Kinlaw Troxler
Chapter 13 Trustee
Greensboro Division
Post Office Box 1720
Greensboro, NC 27402-1720**

**Alliance One
Acct. xxx4865
4850 Street Road, Suite 300
Trevose, PA 19053**

**C.L. Brandenburg, III, D.D.S.
Acct. xxx7991
5011-D Mackay Road
Jamestown, NC 27282**

**Capital One
Acct. xxx1499
P.O. Box 30285
Salt Lake City, UT 84130-0285**

**Cone Health
Accts. xxx5784, xxx5111
Bankruptcy Department
1200 North Elm Street
Greensboro, NC 27401**

**Contract Callers, Inc.
Acct. xxx7063
1058 Claussen Road, Suite UCC110
Augusta, GA**

**Dept. of Education/Sallie Mae
Acct. xxx1718
P.O. Box 9635
Wilkes Barre, PA 18773**

**Eagle Physicians
Acct. xxx2785
324 W. Wendover Avenue, Suite 200
Greensboro, NC 27408**

Eagle Physicians and Associates

Acct. xxx2785

PO Box 14883

Greensboro, NC 27415

Guilford County Tax Collector

PO Box 3328

Greensboro, NC 27402

Internal Revenue Service

Acct. xxx1718

PO Box 7346

Philadelphia, PA 19101-7346

Military Star

Acct. xxx4341

3911 S. Walton Walker Blvd.

Dallas, TX 75236

National Capital Management, LLC

Acct. xxx8028

P.O. Box 12786

Norfolk, VA 23541

NCO Financial Systems, Inc.

Acct. xxxY676

507 Prudential Road

Horsham, PA 19044

North Carolina Department of Revenue

Acct. xxx1718

PO Box 1168

Raleigh, NC 27640

Paul D. Byerly, D.D.S., M.S.

Acct. xxx6105

1635 Memorial Drive

Burlington, NC 27215

Regional Acceptance Corp.

Bankruptcy Section

P.O. Box 1847

Wilson, NC 27894-1847

Rushmore Service Center

Acct. xxx8159

P.O. Box 5508

Sioux Falls, SD 57117-5508

Sallie Mae

Department of Education Loan Services

P.O. Box 9635

Wilkes Barre, PA 18773-9635

Santander Consumer USA, Inc.

Acct. xxx8028

Attn: Bankruptcy Dept.

P.O. Box 560284

Dallas, TX 75356-0284

Security Financial Corp. of Lincolnton

Acct. xxx7518

d/b/a Security Financial Services

1803 S. Church Street

Burlington, NC 27215

Springleaf

Acct. xxx5801

Elmsley Square

3711 Elmsley Street, Suite 102

Greensboro, NC 27406-7039

State of Maryland
Acct. xxx7623
Central Collection Unit 1697623
Fifth Floor Certifications
300 West Preston Street
Baltimore, MD 21201

Stern & Associates, P.A.
Accts. xxx5283, xxx0621
415 N. Edgeworth Street, Suite 210
Greensboro, NC 27401

Trident Asset Management
Acct. xxx4473
P.O. Box 888424
Atlanta, GA 30356

Wells Fargo Home Mortgage
Acct. xxx5142
P.O. Box 10335
Des Moines, IA 50306-0335

Date: August 15, 2014

/s/ Tommy S. Blalock, III
Tommy S. Blalock, III 26467